

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD MAY 7, 2012**

Comes now the hour of 9:15 A.M. on the 7th day of May, 2012, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a regular session of the Board of Commissioners of Noble County, Indiana.

Present were:

Joy Y. LeCount, President
David J. (Dave) Dolezal, Vice President
Jack W. Herendeen, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor
Dennis Graft, County Attorney
and Scott Perry and Bob Braley, News Media

BUILDING INSPECTOR - PROBLEM PROPERTIES

Richard Adair, Building Inspector came before the Commissioners to discuss issues with problem properties, especially around the lakes. He talked about a couple of property owners at Bear Lake that had fixed their homes up and have older houses around them. Richard said he agrees that there are houses that need to come down, and there are two of them that are coming down. He said there are a couple of places where they have started using the old houses for storage. Richard said the only way you can do that is if it adjoins your property and you are living there.

Richard said another problem with a lot of the cottages at Bear Lake and High Lake is that they are not for year around living. He said maybe some owners are there only one or two weeks a year. Richard said then the grass doesn't get mowed on a regular basis, and the varmints tend to chew through the soffit and get inside and do damage. He said that doesn't make it condemnable but he wouldn't want to live in it until it was cleaned up.

Richard said there are inconsistencies in some of the stuff that is being reported. He said if it is condemnable, then he will condemn them. Richard said he has had calls to go look at a couple of rental homes where kids live. He said he is going to have the Health Department go out and check those homes because of children being involved. Richard said typically the ones that are really unsightly are the ones where the roof is falling in. There was discussion about the cost with mailings and other things when condemning a property.

Richard said there are probably more unsightly homes at High Lake than at Bear Lake. Dave asked if they are condemnable. Richard said they give him a specific address when they fill a complaint out, and that is the ones he goes to. He said he thought there were five or six of them there right now that he has gone to, and two of them are not condemnable because they are repairable. Richard said when he gives people notice that their homes have to be repaired with a time table to get them repaired, most of the times he gets some kind of action.

There was discussion about three properties at Bear Lake in particular that have either been condemned or could be condemned.

Jack said he sees several nice homes that are abandoned. Richard said most of the time they are abandoned or repossessed homes.

Richard said at Skinner Lake there is a number to call and someone will come and cut the grass on a semi-regular basis. He said the problem with abandoned/repossessed homes is that many times there are back sewer fees and back taxes that are owed.

SHERIFF DOUG HARP – RE-SURFACING OF PARKING LOT - BROKEN OVERHEAD DOOR – METH TRASH PICK UP

Doug said he is getting quotes to re-surface the parking lot at the Sheriff's Department, and Auditor Jackie Knafel said she thought he would have to go to the Council to see if they would approve the funds for that. The Commissioners agreed he would have to go to the Council.

Doug said the overhead door in the basement at the Sheriff's Department broke again and needs repaired. He said it would be over \$2,000.00, which he could probably pay out of his Commissary fund right now unless there are funds somewhere else to pay it from.

Dave moved to approve spending \$2,000.00 to repair the overhead door. Jack seconded the motion and it carried, 3-0.

Jack asked about the parking lot. Doug said they would come in and fill the cracks and re-stripe it. He said he has two quotes, and one was \$3,600.00 and the other was \$2,700.00 or \$2,800.00, and he is waiting on another quote from Pulver's.

Joy asked Doug if he thought he could get the parking lot paved and the door repaired for \$5,500.00. Doug said he thought he could, but if not he would pay the difference out of his Commissary fund. Jack moved to approve the expense of up to \$5,500.00. Dave seconded the motion and it carried, 3-0.

Dave asked if there are any entities that contract with private entities to process meth trash. Doug said there aren't. He said he thought it would be pretty costly. Doug said the problem is that if meth trash is found and people call it in, they expect it to be picked up. He said they had thought about leaving the trash until Dean's next shift, but the problem with that is if they have to send Dean out to pick up meth trash at five or six places, it puts him behind in his regular duties.

Jack asked where they put the meth trash they pick up. Doug said they have an area behind the Sheriff's Department with a locked gate where they keep it. He said it goes into containers there and the state comes periodically and picks it up. Doug said he had talked to four county Sheriff's, and basically they are all in the same position.

There was discussion about the importance of, and the special training needed for Dean's investigative position, and the fact that he plans to be around for another four or five years.

HIGHWAY BUSINESS – MARK GOODRICH & MIKE FITCH

UTILITY PERMITS

Mark presented the following Utility Permits from Noble REMC: #UP-024-12 for work on CR 500 E south of Northport Road in Orange Township for work at CR 9647 N 500 E; #UP-

025-12 for work on CR 525 N between CR 350 W and CR 450 W in York Township; and #UP-026-12 for work on CR 300 E between CR 500 S and CR 550 S in Green Township, (H.I.).

EXPENSE OVER \$500.00

Mark said he would need an approval for an expense over \$500.00 for truck #14 for a cracked bell housing the will cost over \$600.00. Mark said they called and checked on it, and the person they talked to said we would have to be real careful putting the bell housing back in or they would have to tear the transmission back out. He said the bell housing can only be 10 thousandths of an inch out of center, and if it is more than that it can cause vibration in the transmission. Mark said Kyle said because of that, he would like to have someone come out and center the first one to see how they do it. He said it would be kind of expensive because they said it would take about four-six hours to put it back.

Jack said he thought they should just get the bell housing and put it back together in-house. There was discussion about the age of the truck and the amount of mileage on it, as well as the cost to have someone come in to replace it.

Jack moved to get the new bell housing and to put it back in, in-house. Dave seconded the motion and it carried, 3-0.

HOIST LEAKING

Mark reported that the hoist is leaking again around the seals. He said it is leaking bad around two cylinders. Mark said Kyle had asked Gasoline Equipment to send us a quote on what it would cost the replace the two cylinders, but he hasn't gotten it yet.

There was discussion about how old the lift is and what brand it is.

Joy said we should get the cost for the replacement of the cylinders, and in the mean time she thought we should be looking at other options. Mark said he would make some contacts and have them come out and take a look to see what it would cost to get a new lift.

DISCUSSION RE: WHO IS RUNNING MACHINERY

There was a brief discussion about which employees are running certain pieces of machinery, and the fact that some of the other employees will be trained on more equipment.

DITCHING AND BERMING

Joy asked about ditching and berming. Mark said they are ditching and berming on the roads that will have work done on them this summer.

BRIDGE #134

Mike said in case the negotiations with the railroad don't work out, we will need additional federal funds in the amount of \$428,800.00 for the right-of-way engineering. He said that is based on the right-of-way being relocated and not purchased. Mike said there would be an additional \$38,200.00 for the federal share of engineering.

There was discussion about the fact that the Commissioners thought when they left the meeting they had attended on this project, that the railroad was going to be asked to contribute one million dollars for the extras they want on this project. There was also discussion that the railroad does not want to take out the overhead bridges and make them "at-grade" crossings.

Mike said he was told that in the future when they want to add a third track the railroad can't come back and say they are going to close so many crossings. He said they can request it,

but it has to go through a hearing process, and very few crossings get closed, because the public won't allow it.

Joy said she thought we were at the point where we probably need to request the additional federal funds, and then when we get an answer from the railroad we can decide if we continue on with the project, bow out, or take a different option. Mike said we still need the additional federal funds to do the project if the railroad agrees to pick up the local match. Joy said if we walk away from it, we will have to pay back any federal funds we have expended.

Jack moved to approve the application for supplemental funding for the LPA federal aid project, (H.I.). Dave seconded the motion and it carried, 3-0.

RAILROAD PAVEMENT MARKING APPLICATION GRANT

Mike said he has been working on the railroad pavement marking application grant which is due Friday. He said he will get it finished up and faxed in and then he would get the Commissioners a copy of it.

KIMMELL SOUTH SHORE DRIVE, LITTLE LONG LAKE – POT HOLES

Mark said he drove up to look at Kimmell South Shore Drive, and there were a couple of pretty good sized holes and the rest were just “after the rain” holes. He said they sent Andy up to get the good sized holes patched.

Jack asked if they had gotten into the additions yet. Mark said they had. Joy said apparently Mark had talked to whomever works in Green Township about 500 S. Mark said he had. He said he told the guys that they need to stay on top of keeping the roads patched that won't be worked on this year.

COBBLESTONE ROADS

There was discussion about the roads in Cobblestone Plat, Phases 1, 2 and 3 and more specifically Ballenshire Lane. Mike said there is nothing in the file about the plats, so he doesn't know which phase Ballenshire Lane is in.

Jack asked if we plow all of the streets there. Mark said just the ones they were aware of that had been accepted. He said we don't plow Ballenshire, but the ones in Phase 1 and Phase 2 we do.

Mike said not all of the roads have been added to our inventory. He said he talked to Charisse about it. Mike said that is where the confusion is. He said the year they are accepted for maintenance they should be submitted to INDOT to be added for maintenance.

Jack said if the road had been accepted you would have thought they would have been complaining about us not plowing snow and stuff.

Mike talked about the roads in Cobblestone needing to be brought up to the county's standards before they are accepted and about the bonds that are required. He said they couldn't find any bonds on the roads. There was discussion about where the bonds might be.

Mike said there are some things in the files that he is not sure which phase they pertain to. He said he is going to work more with Charisse to try to get it all sorted out.

After much more discussion, Mike said he would go out and look at the streets and then go back through the files to see what he can figure out.

**BLACK & RAMER INSURANCE - PUBLIC DEFENDER'S
PROFESSIONAL INSURANCE - CROMWELL EMS
BUILDING INSURANCE**

Jarrold said the Public Defender's professional insurance is in place. He said they got the Prosecutor's Office contents and the contents of the Cromwell EMS Building added. Jarrold said the ambulances are covered under the automobile insurance. He said he is waiting on a statement of values for the Commissioners to sign. Jack asked Jarrold how he came up with the contents of the EMS building. Jarrold said that he came up with a figure based on the list that Tom Shoemaker (EMS Director) had prepared. He said when asked, that it wouldn't be a huge cost for the additional coverage.

CLAIMS TO BE PAID 5/07/12 APPROVED

After reviewing the claims to be paid today's date Dave moved to approve them. Jack seconded the motion and it carried, 3-0.

MINUTES APPROVED

After reviewing the minutes and making corrections as needed the following actions were taken. *April 30 executive session* - Jack moved to approve them. Dave seconded the motion and it carried, 3-0; *April 23 regular session* - Dave moved to approve them as corrected. Jack seconded the motion and it carried, 3-0. The minutes of the April 26, 2012 meeting regarding the UDO were partially corrected. They were put on hold until after the UDO meeting on Wednesday.

TOWN OF ALBION – INVOICE RE: LEACHATE DISPOSAL

The Commissioners received an invoice from the Town of Albion in the amount of \$390.00 for the disposal of 6500 gallons of leachate from the landfill for the month of April, (H.I.).

**INDIANA PUBLIC ENTITY CONSORTIUM
(IPEC) - MEDICAL INSURANCE AND
EMPLOYEE BENEFITS**

The Commissioners received a request from Ryan Georgen to be put on the agenda for May 14th to discuss the above referenced consortium, (H.I.). Ryan is managing IPEC, which is a new pooling vehicle for the purchasing of all employee benefit insurance coverages, including group medical and voluntary insurance, etc. at a much lower rate.

Joy said she had e-mailed Stephanie Yager at the Association of Counties and asked her what she knew about this. She said she got back from Stephanie that Ryan is just an underwriter like everyone else. Joy asked Marion to let Ryan know that the Commissioners are not interested at this time.

2013 EMS BUDGET

Joy said at the EMS Advisory Committee they were presented a copy of the EMS budget for next year. She said the Auditor should be receiving that. Joy said they are asking for one ambulance at a cost of \$145,000 and an annual subsidy of \$178,901.00.

Jack said there had been discussion when they went to the 450 chassis that they could just buy the box for on the back, and he said the ambulances should be good for quite a few years. Joy said they want the new safety unit that is built in Canada. There was discussion that a 450 could be driven a lot of miles.

There was discussion about the fact that the Commissioners used to be the ones that bid the ambulances out, and now they are not involved in any bids for ambulances.

**SOIL & WATER CONSERVATION -
INSPECTION OF APOLLO LANDFILL**

Dave asked Joy if there were any results on the inspection the Soil & Water Conservation did on the Apollo landfill. Joy said what they are supposed to inspect them for is erosion issues.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:00 P.M. recessed from day to day until the 14th day of May 2012.

Joy Y. LeCount, President

David J. Dolezal, Vice President

Jack W. Herendeen, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor